IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 13TH APRIL 2007 / 23RD CHAITHRA 1929

Bail Appl..No. 2271 of 2007()

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(CRIME NO.75/2007 OF PALODE POLICE STATION)

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PETITIONERS/ACCUSED:

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1. SATHEESHKUMAR, S/O. BHASKARAN,
   KUNNUPURATH HOUSE, PANNIYOTTUKADAVU AGGRIFAM,
   KOCHUVILA, PERIYAMALA, TRIVANDRUM.

2. SREELAL @ KANNAN, S/O. SOMANKANI,
   THADATHARIKATHU HOUSE, PANNIYOTTUKADAVU,
   AGGRIFAM, KOCHUVILA, PERIYAMALA, TRIVANDRUM.

BY ADV. SRI.T.A.UNNIKRISHNAN
SRI.K.SATHEESH KUMAR

RESPONDENTS: COMPLAINANT:

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STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 13/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

**V.RAMKUMAR, J.**

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Bail Application No. 2271/2007

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Dated this 13th day of April, 2007

**O R D E R**

The petitioners who are accused Nos. 1 and 2 in Crime No.75/2007 of Palode Police Station for an offence punishable under Section 302 IPC, seek their enlargement on bail.

2. The learned Public Prosecutor opposed the application.

3. The case of the prosecution is that on 4.3.2007 at about 10.00 p.m, the petitioners had assaulted the deceased Aji by kicking and beating him with a cudgel and Aji succumbed to the injuries at about 5.30 a.m on 5.3.2007. The learned Public Prosecutor also submitted that there was 33 injuries on the body of the deceased.

4. Having regard to the facts and circumstances of the case, the duration of the judicial custody of the petitioners and the present stage of the investigation, I am inclined to grant bail to the petitioners but only from a future date. Accordingly, the petitioners are directed to be released on bail with effect from 25.4.2007, on each of them executing a bond for Rs. 10,000/- (Rupees ten thousand only) with two solvent sureties each for

the like amount to the satisfaction of the J.F.C.M-I, Nedumangadu and subject to the following conditions:

(a). The petitioners shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

(b). The petitioners shall make themselves available for interrogation as and when required by the police till the filing of the final report.

(c). The petitioners shall not influence or intimidate the prosecution witnesses nor shall they attempt to tamper with the evidence for the prosecution.

(d). The petitioners shall not commit any offence while on bail.

5. If the petitioners commit breach of any of the above conditions, the bail granted to them shall be liable to be cancelled.

The application is allowed as above.

**V.RAMKUMAR,**
**JUDGE**

mrcs